

BEFORE THE NORTH DAKOTA PUBLIC SERVICE COMMISSION

600 East Boulevard Avenue, Dept. 408
Bismarck, ND 58505-0480

In Re: *Request for approval of the Amendment No. 1 to the Interconnection Agreement Negotiated by Missouri Valley Communications, Inc. and its subsidiaries and affiliates and Cellco Partnership d/b/a Verizon Wireless, Pursuant to Section 251(b)(5) of the Telecommunications Act of 1996*

**PETITION FOR APPROVAL OF THE AMENDMENT NO. 1 TO THE
INTERCONNECTION AGREEMENT NEGOTIATED BY MISSOURI VALLEY
COMMUNICATIONS, INC. AND ITS SUBSIDIARIES AND AFFILIATES AND
CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS, PURSUANT TO
SECTION 251(b)(5) OF THE TELECOMMUNICATIONS ACT OF 1996**

Missouri Valley Communications, Inc. and its subsidiaries and affiliates (“Missouri Valley”) respectfully files this request with the North Dakota Public Service Commission for approval of the attached Amendment No. 1 to the existing interconnection agreement which was effective April 1, 2003 (the “Amendment”). This Amendment was negotiated between Missouri Valley and Cellco Partnership d/b/a Verizon Wireless (“Verizon Wireless”) pursuant to Section 251(b)(5) of the Telecommunications Act of 1996 (“the Act”). The Amendment provides for the continued interconnection of the two companies’ networks, thereby facilitating Verizon Wireless’ provision of Commercial Mobile Radio Services (“CMRS”) to customers in North Dakota. Missouri Valley, therefore, respectfully requests that the Commission act within the 90 days specified by the Act and approve the Amendment.

In support of its request, Missouri Valley states the following:

THE PARTIES

1. Missouri Valley is a local exchange carrier authorized to provide local exchange service in North Dakota.

2. Verizon Wireless is a telecommunications carrier that has been granted authority by the Federal Communications Commission to provide CMRS in a specific market in North Dakota.

THE AGREEMENT

3. Missouri Valley and Verizon Wireless have successfully negotiated the Amendment for the continued interconnection of their networks. A copy of the Amendment is attached hereto and incorporated herein by reference.

4. Missouri Valley and Verizon Wireless have entered into this Amendment, pursuant to Section 251(b)(5) of the Act.

5. Pursuant to Section 252(e) of the Act, Missouri Valley is submitting the Amendment to the North Dakota Public Service Commission for its consideration and approval.

COMPLIANCE WITH THE ACT

6. First, as required by Section 252(e)(2)(a)(i) of the Act, the Amendment does not discriminate against any other telecommunications carrier.

7. Second, the Amendment is consistent with the public interest, convenience, and necessity, as required by Section 252(e)(2)(a) (ii) of the Act.

APPROVAL OF THE AGREEMENT

8. In accordance with Section 252(e) of the Act, the North Dakota Public Service Commission is charged with approving or rejecting the Amendment between Missouri Valley and Verizon Wireless within 90 days of its submission. The Act provides that the North Dakota Public Service Commission may reject such Amendment only if it finds that the Amendment or any portion thereof discriminates against a telecommunications carrier not a party to the Amendment, or if it finds that the implementation of the Amendment or any portion thereof is not consistent with the public interest, convenience and necessity.

9. Missouri Valley and Verizon Wireless aver that the Amendment is consistent with the standards for approval.

10. Pursuant to Section 252(i) of the Act, once the Amendment is approved, Missouri Valley will make the terms and conditions of the Amendment available to any similarly situated CMRS provider.

11. Missouri Valley respectfully requests that the North Dakota Public Service Commission approve the Amendment negotiated between the parties without revision as expeditiously as possible consistent with the public interest.

This 21st day of July 2004.

Respectfully submitted,

**MISSOURI VALLEY COMMUNICATIONS, INC. AND ITS
SUBSIDIARIES AND AFFILIATES**

By: _____

J. Lans Chase
Consultant for Missouri Valley Communications, Inc.
John Staurulakis, Inc.
4625 Alexander Drive, Suite 135
Alpharetta, GA 30022

CERTIFICATE OF SERVICE

I, J. Lans Chase, hereby certify that I have served a copy of the foregoing Petition for Approval of the Interconnection Amendment on the following via United States Mail:

Mary Bacigalupi
Verizon Wireless
2785 Mitchell Drive, MS 7-1
Walnut Creek, CA 94598

J. Lans Chase

Date

Senior Regulatory Consultant
John Staurulakis, Inc.
4625 Alexander Drive, Suite 135
Alpharetta, GA 30022